## REMARKS

Claims 1-20 were pending in the application prior to this amendment.
Claims 1-20 were rejected.
Claim 1 has been amended to overcome the informality noted by the examiner.

Reconsideration and allowance of claims 1-20 is respectfully requested.

In order to preserve applicant's right to appeal, a notice of appeal has been filed with this response. However, applicant believes that a telephone interview may be able to resolve the outstanding issues and eliminate the necessity of an appeal. Applicant is willing to make reasonable changes to the claims, if such changes will result in this case being passed to issue.

**The issues that applicant would like to discuss in a telephone interview are discussed below.** Applicant respectfully requests that the examiner call the applicant's attorney at 503-222-3613 at a time convenient for the examiner. Please note that applicant's attorney is in Oregon and there is a three hour time different from Virginia.

***Claim Objections:***
Claim 1 was objected to because of the informalities noted by the Examiner. Applicant has amended claim 1 to eliminate the problem noted by the Examiner.

***Claim Rejections – 35 U.S.C. § 102:***
Claims 1-3, 10-12, 15-16 and 18-20 were rejected under 35 U.S.C § 102(b) as being anticipated by Martin et al. (U.S. Patent No. 5,686,864).

Since this is a rejection is a rejection under 102(b), in order for this rejection to be sustainable, the examiner must show that the reference teaches each of the elements recited in applicant's claims. Applicant submits that this reference simply does not show the combination of elements recited in applicant's claims.

Applicant's invention relates to a PLL that has a divider in the feed back loop that enables the PLL to operate over several frequency sub-ranges. Applicant's circuit has a VFO with a variable gain profile. As the operating frequency of the PLL changes between sub-ranges, the gain profile of the VFO is changed so that the loop gain remains constant.

The cited Martin reference shows a circuit with a number of VCO circuits having different frequency ranges. When trying to lock onto a frequency, if the circuit can not lock onto a frequency with one VCO, it switches to a different VCO.

Applicant's claim 1 calls for:

> "a variable frequency oscillatror (VFO) ...
> said VFO having a variable gain profile, the gain profile of said VFO being controlled by gain control logic which sets the gain profile of said VFO so that the gain of the VFO remains within a desired range as the operation of said PLL moves between said frequency sub-ranges"

Simply stated, the cited Martin reference does not show any such element. That is, the reference does not show a VFO (or a VCO) having a variable gain profile and control logic that switches the VFO gain profile as the PLL moves between frequency sub-ranges.

Thus, the cited Martin does not show or teach the elements recited in applicant's claim and a rejection of applicant's claims under 102(b) based on the Martin reference is not sustainable.

Each of the other independent claims also recites a VFO, the gain profile of which is variable.

***Claim Rejections – 35 U.S.C. § 103:***

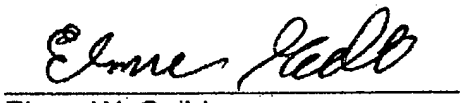
Claims 4-9, 13-14 and 17 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Martin et al.

It is noted that claims 4-9, 13-24 and 17 are dependent claims and are therefore patentable for the same reasons as explained above relative to the independent claims.

**CONCLUSION**

In summary, applicant respectfully requests a telephone interview after the examiner has had a chance to review the above discussion of the reference as applied to applicant's claim. Applicant would like to resolve the outstanding issues without the need to file an appeal brief and applicant feels that a telephone interview to discuss the above issues should be able to eliminate the necessity of an appeal.

Respectfully submitted,
MARGER JOHNSON & McCOLLOM, P.C.



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